

Appl. No. 10/608,885
Response Dated March 29, 2006
Reply to Action of December 29, 2005

REMARKS/ARGUMENTS

In the Final Office Action of December 29, 2005, claims 1-73 were rejected under 35 U.S.C. 102(e) as being anticipated by Lavery et al. (US Patent 6,362,895). Claims 1, 9, 13, and 70 have been amended to better and more clearly claim the invention. Claims 2, 72, and 73 have been cancelled.

The fee for filing a Request for Continued Examination is being filed with this Amendment.

Relevant aspects of the Lavery system are summarized in Lavery at col. 9, line 47 to col. 10, line 18. If a Lavery user desires to create a custom printed document containing user information, the information to be incorporated into the document is provided by the user in response to specific prompts in an order form. The data entered by the user is sent from the user computer to the Lavery web site (col. 9, lines 49-51 and 62-65) where the user-supplied data is combined at the server with predefined product design information stored at the server to create a product design. The server creates a PDF from the design and sends the PDF back to the user for review (col. 10, lines 1-8). If the user is not satisfied with the product design shown in the PDF received from the server, the user must again view and edit the order form and resubmit the data to the server. At the server, newly submitted information is used to create a revised product and a PDF of the revised product will be returned to the user for review (col. 10, lines 14-17).

By contrast, the pending claims recite methods wherein the user creates the user's custom document design at the user computer by incorporating the custom

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information into a downloaded template under user control using downloaded tools. (See, for example, Applicants' specification at page 11, lines 12-25 and page 15, lines 1-13) Lavery does not teach these methods.

Looking at independent claim 1, for example, Lavery does not teach "downloading one or more product design tools to a user computer, the tools being adapted to ... edit a product design template at the user computer", Lavery does not teach "downloading an editable product design template", and Lavery does not teach "allowing the user to use one or more of the tools to edit the downloaded template to incorporate content at the user computer into the downloaded product design template to create a custom electronic product design at the user computer." Similar methods, also not taught by Lavery, are recited in independent claims 9 and 13.

In light of the above comments and amendments to independent claims 1, 9 and 13, it is believed that pending dependent claims 3-8, 10-12 and 14-71 are also now allowable. However, in the interest of completeness, the following additional remarks regarding the Examiner's application of Lavery to the dependent claims are provided.

Lavery teaches a system for allowing a user to supply information for incorporation into a design to create a custom product design for himself or herself. This is not the method being claimed in claims 16-30. These claims are specifically directed at methods wherein the user is preparing a product design for another party. Dependent claims 16 recites a method in which a "user" (i.e. the person actually using the downloaded tools to create a custom product design) is creating the design for another party. Claim 17 recites the further claim element of other party provides at least some product design information for use by the user. Claims 18-25 recite further claim elements related to the receipt of design information by the user from the other party. Claims 26-28 recite further claim elements related to the user making the created design available to the other party. Claims 29-30 recite further claim

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elements related to the product design information provided by the other party. The process of a user creating a product design for another party is not discussed in Lavery. Dependent claims 31-69, which were not individually addressed by the Examiner, also relate to the involvement of another party besides the user in the creation of the user's custom product design and similarly are not taught by Lavery.

Claims 9-15 and 31-73 were not individually addressed on the basis of the Examiner's position that these claims were all "covered by the limitations of claims 1-8 and 16-30". As discussed below, Applicants respectfully disagree and believe additional and/or different limitations are provided in some dependent claims.

Claims 31-34 relate to "providing one or more template creation software tools to the user, and allowing the user to create one or more product design templates". While claims 1-8 and 16-30 recite providing the user with tools to create product designs, these claims do not recite providing tools to the user that allow the user to create templates themselves.

Claims 36-45 relate to support to the user "provided by at least one design assistant" while the user is using the downloaded tools. Claims 1-8 and 16-30 do not recite the feature of providing design assistant support to the user.

Claims 51-53 relate to the product designs being "created by one or more design assistants remote from the user." Claims 1-8 and 16-30 do not recite the feature of using a design assistant to create custom user product designs.

Finally, Applicants respectfully disagree that Lavery discloses receiving information from the user and creating a product design template that the user can use to create a product design, as claimed in dependent claims 70 and 71. Lavery allows the user to supply user data for incorporation into a predefined template that is stored

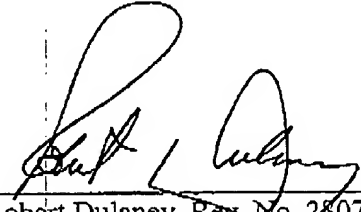
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at the Lavery server, but Lavery does not teach a system for creating a new template in response to product design information received from the user.

In light of the above comments and amendments, it is respectfully requested that the Examiner reconsider and withdraw the rejection of claims 1 and 3-71.

Respectfully submitted,

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